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April 18, 2023

The Honorable Ann M. Donnelly
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Douglass Mackey, Criminal Docket No. 21-0080 (AMD)

Dear Judge Donnelly:

A difference of opinion has emerged between the parties as to the deadline in the Court's order of April 12, 2023. My interpretation is that the filing is due tomorrow, April 19, 2023; the government's interpretation is that the filing is due "before" April 19, 2023, meaning today. If the government's interpretation is correct, I submit this letter as a request that the Court permit the parties to file their simultaneous letters on April 19, 2023, as my intention has been to draft a letter on Mr. Mackey's behalf later today and tomorrow. The government advises me that it takes no position on this request.

Also, as I advised the government yesterday, and as I advise the Court herein as a courtesy, I anticipate applying for an extension of time within which to file Mr. Mackey's post-verdict motions, currently due on April 21, 2023. I have been ill since last Monday and returned (upon recovering) to my usual schedule yesterday. Before determining how much of an extension I should seek, I want first to determine how much progress I can make on the motion papers this week. I will formally move for an extension later in the week.

Respectfully submitted,

/s/ Andrew J. Frisch
Andrew J. Frisch

cc: US Attorney's Office